

FILE NO.: Z-7950-B

NAME: Pollack Realty Revised Short-form PD-O

LOCATION: Located at 4016 Stannus Road

DEVELOPER:

Pollack Realty
P.O. Box 22717
Little Rock, AR 72221

SURVEYOR/ENGINEER:

Graham Engineers
100 North Rodney Parham Road
Little Rock, AR 72205

AREA: .20-acres NUMBER OF LOTS: 1 zoning lot FT. NEW STREET: 0 LF

WARD: 6 PLANNING DISTRICT: 10 – Boyle Park CENSUS TRACT: 24.06

CURRENT ZONING: PD-O and R-3, Single-family

ALLOWED USE: Office and Single-family residential

PROPOSED ZONING: Revised PD-O

PROPOSED USE: Office – add additional area to be developed as surface parking.

VARIANCE/WAIVERS: A variance from Sections 30-43 and 31-210 to allow the drive on West 40th Street nearer the property line than typically allowed.

BACKGROUND:

Ordinance No. 19,473 adopted by the Little Rock Board of Directors on February 7, 2006, rezoned the site from R-3, Single-family to PD-O, Planned Development Office, to allow an existing structure to be utilized as an office use. Interior renovations were proposed to the structure and the existing parking lot was to be resurfaced. The applicant proposed a six (6) foot fence along the street right-of-way of West 41st Street

and Stannus Road. A gate was to be placed along Stannus Road. Fencing was also proposed to be placed along the mid-point of the property with the remainder of the parking to be left open for employees of Wilson Elementary School and Rosedale Baptist Church to utilize as overflow parking. The structure contained 5,600 square feet and was constructed as a Masonic Lodge in 1951. Prior to the applicant's occupancy the structure had been vacant since 1998.

The site plan included a Phase II portion for development. The applicant indicated future plans included the construction of a second building on the site not to exceed 5,600 square feet. All required parking to satisfy an office development would be included in the redevelopment of the Phase II portion of the site.

Ordinance No. 20,858 adopted by the Little Rock Board on March 18, 2014, allowed Affirmative Risk Management to make an addition to the existing building and add additional paved areas for parking. A total of 36 parking spaces were approved for the site. The parking has been completed.

Ordinance No. 20,496 adopted by the Little Rock Board of Directors on November 1, 2011, rezoned property from R-3, Single-family to PD-O to allow the use of a former church building as meeting space for the Delta Presents Outreach Foundation. Delta Presents Outreach Foundation was/is the Little Rock Alumnae Chapter of the Delta Sigma Theta Sorority. The mission of the Foundation is to promote self-development and actualization activities through seminars and training of adolescents, to provide scholarships to high school seniors who possess an above average scholastic achievement and to participate in community outreach and empowerment activities that enhances overall community functioning. The former church building located at 7621 West 40th Street was to be used as meeting space for the Foundation's monthly meetings as well as subcommittee meetings. Other activities were to include health fairs, voter registration, health and fitness, youth programs and community meetings.

The approval allowed parking on an adjacent office site to be used as a portion of the Foundation's required parking. The site plan included the development a parking lot to serve the development. A new parking lot containing 41 parking spaces was constructed.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant is now proposing to amend the previously approved PD-O, Planned Development Office, to add additional land area to the previously approved zoning for both Affirmative Risk Management (Z-7950 & Z-7950-A) and for the Delta Presents Outreach Foundation (Z-8696). The applicant has purchased a 60-foot by 150-foot parcel located to the north of the existing parking area. The applicant is proposing to redesign the parking area currently being used and owned by Delta Presents Outreach Foundation to add additional paved area. Currently there are two (2) drives located along West 40th Street. One of the existing drives is

proposed to be closed and a new drive added along the eastern perimeter. There are currently 41 parking spaces owned by Delta Presents Outreach Foundation. The applicant is proposing upon completion of the redesign and new paving 56 parking spaces. There will continue to be 36 parking spaces on the property owned by Affirmative Risk Management.

The applicant and Delta Outreach Foundation have a reciprocal agreement to allow for each to share the parking lots to provide off street parking for Affirmative Risk Management during the day time hours. Delta uses the lots during the evenings and on weekends.

B. EXISTING CONDITIONS:

The site is located across from Wilson Elementary School and adjacent to Rosedale Baptist Church which has sold to Delta Outreach Foundation and is being used as meeting space for the sorority. Affirmative Risk Management contains a two (2) story office building and parking for 26 automobiles. There is a drive, which extends from Stannus Road to the rear parking area on the north side of the building.

Wilson Elementary School is located to the east of the site. There are single-family homes located to the south, across West 41st Street, and to the north, fronting 40th Street. Sidewalks have been installed along the property frontages owned by Affirmative Risk Management and Delta Outreach Foundation.

C. NEIGHBORHOOD COMMENTS:

All property owners located within 200-feet of the site along with the John Barrow Neighborhood Association and the Westwood Neighborhood Association were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. Due to the proposed use of the property, the Master Street Plan specifies that West 40th Street for the frontage of this property must meet commercial street standards. Dedicate right-of-way to 30-feet from centerline.
2. The call box for the gate system must be located at least 30-feet from the back of curb on West 40th Street.
3. The driveways should be striped as one way entrance and exit.
4. Repair or replace any curb and gutter or sidewalk that is damaged in the public right-of-way prior to occupancy.

5. Driveway locations and widths do not meet the traffic access and circulation requirements of Sections 30-43 and 31-210. Driveway spacing on a commercial street is 125 feet from the side property line and 250 feet from other driveways and street intersections. A variance must be requested for the driveway.
6. Damage to public and private property due to hauling operations or operation of construction related equipment from a nearby construction site shall be repaired by the responsible party prior to issuance of a certificate of occupancy.
7. If fencing is proposed, it should be located to not obstruct sight distance from the proposed driveways and other driveways in the area.

E. Utilities/Fire Department/Parks/County Planning:

Little Rock Water Reclamation Authority: Sewer available to this site. Existing easements must be retained. Contact Little Rock Water Reclamation Authority for additional information.

Entergy: Entergy does not object to this proposal. Service is already being provided to the structures on this property with no apparent conflicts with existing facilities. There are a couple power poles with cable secondary feeding lights on the north and south sides of the proposed parking area. Please be cautious when working around these poles, wires and guy wires. Contact Entergy in advance to discuss any changes to electrical service requirements, or adjustments to existing facilities (if any) as this proposal proceeds.

Centerpoint Energy: No comment received.

AT & T: No comment received.

Central Arkansas Water: No comment received.

Fire Department:

1. Fire Hydrants. Maintain fire apparatus access roads at fire hydrant locations as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 Section D103.1 Access road width with a hydrant. Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet, exclusive of shoulders.
2. Grade. Maintain fire apparatus access roads as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 Section D103.2 Grade. Fire apparatus access roads shall not exceed 10 percent in grade except as approved by the fire chief.
3. Loading. Maintain fire apparatus access road design as per Appendix D of the 2012 Arkansas Fire Prevention Code Vol. 1 Section D102.1 Access and loading. Facilities, buildings or portions of buildings hereafter constructed shall

be accessible to fire department apparatus by way of an approved fire apparatus access road with an asphalt, concrete or other approved driving surface capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds.

4. Fire Hydrants. Locate Fire Hydrants as per Appendix C of the 2012 Arkansas Fire Prevention Code. Section C101 – C105, in conjunction with Central Arkansas Water (Jason Lowder 501.377.1245) and the Little Rock Fire Marshal's Office (Capt. Tony Rhodes 501.918.3757 or Capt. John Hogue 501.918.3754). Number and Distribution of Fire Hydrants as per Table C105.1.

Parks and Recreation: No comment received.

County Planning: No comment.

F. Building Codes/Landscape:

Building Code: No comment.

Landscape:

1. Site plan must comply with the City's landscape and buffer ordinance requirements.
2. Screening requirements will need to be met for the vehicular use areas adjacent to street right-of-ways. Provide screening shrubs with an average linear spacing of not less at three (3) feet within the required landscape area. Provide trees with an average linear spacing of not less than thirty (30) feet.
3. A land use buffer six (6) percent of the average width/depth of the lot will be required when an adjacent property has a dissimilar use of a more restrictive nature. The property to the east is zoned R-2, Single-family. The minimum dimension shall in no case be less than nine (9) feet in width. The east buffer is deficient. As a component of all land use buffer requirements, opaque screening, whether a fence or other device, a minimum of six (6) feet in height shall be required upon the property line side of the buffer. A minimum of seventy (70) percent of the land use buffer shall be undisturbed. Easements cannot count toward fulfilling this requirement. In addition to the required screening, buffers are to be landscaped at the rate of one (1) tree and three (3) shrubs for every thirty (30) linear feet.
4. A perimeter planting strip is required along any side of a vehicular use area that abuts adjoining property, or the right-of-way of any street. This strip shall be at least nine (9) feet wide. One (1) tree and three (3) shrubs or vines shall be planted for every thirty (30) linear feet of perimeter planting strip.
5. Eight percent (8%) of the vehicular use area must be designated for green space; this green space needs to be evenly distributed throughout the parking area(s). The minimum size of an interior landscape area shall be one hundred

- fifty (150) square feet for developments with one hundred fifty (150) or fewer parking spaces. Interior islands must be a minimum of seven and one half (7 1/2) feet in width. Trees shall be included in the interior landscape areas at the rate of one (1) tree for every twelve (12) parking spaces.
6. A landscape irrigation system shall be required for developments of one (1) acre or larger. If irrigation system is not provided for developments of less than one (1) acre there shall be a water source within seventy-five (75) feet of any plant material or turf.
 7. Any existing landscape areas shall be protected as per City of Little Rock Landscape Ordinance (Section 15-100). Any trees or vegetation located in close proximity to construction shall have the area within the dripline fenced and protected from development activities. Any exiting landscape or irrigation disturbed by construction shall be repaired or replaced before completion and final acceptance of the project.
 8. The City Beautiful Commission recommends preserving as many existing trees as feasible on this site. Credit toward fulfilling Landscape Ordinance requirements can be given when preserving trees of six (6) inch caliper or larger.

G. Transportation/Planning:

Rock Region Metro: The site is located near Rock Region Metro Route #14, the Rosedale Route.

Planning Division: This request is located Boyle Park Planning District. The Land Use Plan shows Public Institution (PI) and Residential Low (RL) for this property. Public Institutional category includes public and quasi-public facilities that provide a variety of services to the community such as schools, libraries, fire stations, churches, utility substations, and hospitals. The Residential Low Density is for single-family homes at densities no greater than six (6) dwelling units per acre. The applicant has applied for Revised PD-O (Planned Development Office) to add land area for additional parking.

Master Street Plan: East of the property is Stannus Street and it shown as a Local Street on the Master Street Plan. North of the property is 40th Street and it shown as a Local Street on the Master Street Plan. South of the property is 41st Street and it shown as a Local Street on the Master Street Plan. The primary function of a Local Street is to provide access to adjacent properties. Local Streets that are abutted by non-residential zoning/use or more intensive zoning than duplexes are considered as "Commercial Streets". A Collector design standard is used for Commercial Streets. These streets may require dedication of right-of-way and may require street improvements for entrances and exits to the site.

Bicycle Plan: There are no bike routes shown in the immediate vicinity.

H. SUBDIVISION COMMITTEE COMMENT: (December 20, 2017)

The applicant was present representing the request. Staff presented an overview of the item stating there were additional items necessary to complete the review process. Staff requested information concerning the proposed screening along the eastern boundary, adjacent to the single-family home. The applicant indicated a wooded fence would be installed adjacent to the single-family home. Staff questioned if there would be any modifications to the existing building or parking owned by Affirmative Risk Management.

Public Works comments were addressed. Staff stated a dedication of right of way was required along West 40th Street. Staff stated street improvements were required along the newly proposed development area. Staff stated driveway locations and widths did not meet typical ordinance requirements. Staff stated damage to public and private property due to hauling operations or operation of construction related equipment were to be repaired prior to the issuance of a certificate of occupancy. Staff stated any fencing was to be located to not obstruct sight distance from the proposed driveway and other driveways in the area and any gates will have to be approved by staff.

Landscaping comments were addressed. Staff stated a land use buffer was required along the eastern perimeter with a minimum width of nine (9) feet. Staff stated screening of the paved areas was required to block the view of the vehicular use area from the street. Staff stated landscape irrigation was required for developments of one (1) acre or larger. Staff stated if irrigation was not provided a water source within 75-feet was required to water landscaped areas.

Staff noted the comments from the various other departments and agencies. Staff suggested the applicant contact the departments or agencies directly with any questions or concerns. There were no more issues for discussion. The Committee then forwarded the item to the full Commission for final action.

I. ANALYSIS:

There were no technical issues in need of addressing via a revised site plan raised at the December 20, 2017, Subdivision Committee meeting related to the proposed new and redevelopment of the parking for these site.

The request is to amend the previously approved PD-O, Planned Development Office, to add additional land area to the previously approved zoning for both Affirmative Risk Management (Z-7950 & Z-7950-A) and for the Delta Presents Outreach Foundation (Z-8696). Affirmative Risk Management has purchased a 60-foot by 150-foot parcel located to the north of their existing parking area and east of the parking area owned by Delta Presents Outreach Foundation. The proposal is to redesign the parking area currently being used and owned by Delta Presents Outreach Foundation and to add additional paved area for parking.

The applicant and Delta Outreach Foundation have a reciprocal agreement to allow for each to share the parking lots to provide off street parking for Affirmative Risk Management during the day time hours. Delta uses the lots during the evenings and on weekends.

Currently there are two (2) drives located along West 40th Street. The eastern drive will be moved further east to allow for access to the new land area. This will require a variance from Sections 30-43 and 31-210. Driveway spacing on a commercial street is to be 125-feet from the side property line and 250-feet from other driveways and street intersections. Staff is supportive of the variance request. The parking lot will be gated. Gate locations will have to be approved by staff.

There are currently 41 parking spaces owned by Delta Presents Outreach Foundation. The applicant is proposing upon completion of the redesign and new paving 56 parking spaces. There are currently and will continue to be 36 parking spaces on the property owned by Affirmative Risk Management.

Staff is supportive of the applicant's request. The applicant is requesting a revision to the previously approved PD-O's for each of the properties. The applicant is proposing screening and buffering for the remaining single-family home located to the east of the new paved area. Staff does not feel the request to allow an expansion of the approved PD-O's to add the additional parking area will significantly impact these developments or the general area.

J. STAFF RECOMMENDATION:

Staff recommends approval of the request subject to compliance with the comments and conditions as outlined in paragraphs D, E and F of the agenda staff report.

Staff recommends approval of the variance request from Sections 30-43 and 31-210 to allow the drive on West 40th Street nearer the property line than typically allowed. All gate locations will have to be approved by staff.

PLANNING COMMISSION ACTION:

(JANUARY 11, 2018)

The applicant was present. There were no registered objectors present. Staff presented the item with a recommendation of approval of the request subject to compliance with the comments and conditions as outlined in paragraphs D, E and F of the agenda staff report. Staff presented a recommendation of approval of the variance request from Sections 30-43 and 31-210 to allow the drive on West 40th Street nearer the property line than typically allowed. Staff stated all gate locations were to be approved by staff. There was no further discussion. The item was placed on the consent agenda and approved as recommended by staff by a vote of 11 ayes, 0 noes and 0 absent.